D.B. CIVIL WRIT PETITION NO.176/2006

Shree Rajasthan Syntex Ltd. **Vs**. Union ofIndia & Anr.

Date : 25.05.2006

PRESENT

HON'BLE JUSTICE MR. RAJESH BALIA
HON'BLE JUSTICE MR. R.P. VYAS

Mr. L.R. Mehta for the petitioner.
Mr. V.K. Mathur for the respondents.

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Heard learned counsel for the parties.

It is settled principle and has not been disputed that so long the application for stay submitted along with the appeal is not disposed of, no recourse to coercive proceedings for recovery of the demand in question can be resorted to.

In view thereof, this petition is disposed of with direction that until the application for stay of recovery during the pendency of the appeal before the Tribunal is not disposed of, no coercive proceedings can be taken against the petitioner for recovery of the said demand. It is without prejudice to the petitioner's right to avail his remedy in respect of orders passed on such stay application.

No orders as to costs.

[R.P. VYAS], J. [RAJESH BALIA], J.

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